AMENDED PETITION

BEFORE THE HON'BLE HIGH COURT OF CHHATTISGARH AT BILASPUR (C.G.)

WRIT PETITION NO.1450/2006

PETITIONER — National Thermal Power Corpn Limited Supervisors Association, K.S.T.P.S., through its President Shri U.S. Ratre, A-1669, Kaveri Vihar, PO Jamniopali, Distt. Korba (C.G.)

VERSUS

RESPONDENTS

1. The Union of India, through – its Secretary, Central Board of Direct Taxes, North Block New Dehli.

2. National Thermal Power Corporation Limited, Head Office, N.T.P.C. Bhawan, Scop Complex, Lodhi Road, New Dehli, through – its Chairman – Cum – Managing Director.

3. National Thermal Power Corporation Limited, PO Vikas Bhawan, Jamnipali, Distt. Korba, through – its General Manager.

WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA.

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HIGH COURT OF JUDICATURE CHHATTISGARH : BILASPUR
DIVISION BENCH

CORAM : HON'BLE SHRI S.R. NAYAK, CJ.
HON'BLE SHRI V.K. SHRIVASTAVA, J.

Writ Petition No. 871 OF 2006

PETITIONER

Bharat Aluminium Mazdoor Sangh (INTUC),
Through its General Secretary V.K. Sharma, S/o Late B.R. Sharma, Aged ab0out 53 years, R/o Quarter No. 398, B-Type, Sector-3, Balco Township, Korba, District : Korba, Chhattisgarh

Versus

RESPONDENTS

1. Union of India,
Through the Secretary,
Ministry of Finance,
New Delhi
2. Central Board of Direct Taxes,
Government of India,
Through the Secretary,
Ministry of Finance,
Department of Revenue,
New Delhi
3. Bharat Aluminium Co. Limited,
Through its Managing Director,
Korba, District : Korba,
Chhattisgarh
4. Chief Commissioner, Income Tax,
Chhattisgarh, Raipur.

Present : Shri Rajeev Shrivastava, learned counsel for the petitioner.
Shri Bhishma Kinger, learned Standing counsel for Union of India / respondents No.1 & 2.
Shri Praveen Das and Shri Vivek Sharma, learned counsel for respondent No. 3.
Shri Amit Chaudhari, learned counsel for respondent No.4.

Writ Petition No. 1400 OF 2006

PETITIONER

Chemical Employees Union
Gopalpur Korba (A Union Registered Under the Trade Unions Act, 1926)
Through its President Pramod Shukla, S/o Shri R.K. Shukla, aged about 43 years, Occupation – Service, Working as Officer, Technical Grade-II, R/o S.V.B.P. Nagar, Jamni Pali, Korba (C.G.)

Versus

RESPONDENTS

1. Union of India,
Through the Secretary,
Ministry of Finance,
New Delhi
2. Central Board of Direct Taxes,
Government of India,
Through the Secretary,
Ministry of Finance,
Department of Revenue,
New Delhi
3. The I.B.P. Company Ltd.
(A Govt. of India Enterprises),
Business Group (Chemicals),
Industrial Explosive Plant,
Through its Chief Manager (K),
Village – Gopalpur, Jamnipali,
Korba – 495450.
4. Chief Commissioner, Income Tax,
Chhattisgarh, Raipur (C.G.)

Present : Shri Rajeev Shrivastava, learned counsel for the petitioner.
Shri Bhishma Kinger, learned Standing counsel for Union of India / respondents No. 1 & 2.
Shri P.S. Nair, learned Sr. Advocate with Shri P.S. Koshy, learned counsel for the respondent No.3.
Shri Amit Chaudhari, learned counsel for respondent No.4.

Writ Petition No. 1450 OF 2006

PETITIONER

National Thermal Power Corpn[illegible]. Limited Supervisors Association, K.S.T.P.S., through its President Shri U.S. Ratre, A-1669, Kaveri Vihar, PO Jamniopali, Distt. Korba (C.G.)

Versus

RESPONDENTS

1. The Union of India,
Through : its Secretary, Central Board of Direct Taxes, North Block New Delhi.
2. National Thermal Power Corporation Limited, Head Office, N.T.P.C. Bhawan, Scop Complex Lodhi Road, New Delhi, through – its Chairman-cum-Managing Director
3. National Thermal Power Corporation Limited, PO Vikas Bhawan,

Jamnipali, Distt. Korba, through – its General Manager.

Present : Shri P.S. Nair, learned Sr. Advocate with Shri P.S. Koshy, learned counsel for the petitioner.
Shri Bhishma Kinger, learned Standing counsel for Union of India/respondent No1.
Shri Abhishek Sinha, learned counsel for res. Nos. 2 & 3.

ORAL ORDER
(Passed on 10-11-2006)

The following oral order of the Court was passed by

S.R. Nayak, CJ

Learned counsel appearing for all the parties would submit that the point that arises for decision in these writ petitions is squarely covered by the decision of the Hon'ble Supreme Court in the case of **Aurn Kumar & Ors. Vs. Union of India & Ors.**[1]. In view of the above joint submission made by learned counsel appearing for the parties, these writ petitions are disposed of in terms of the above judgment of the Hon'ble Supreme Court. No costs.

Sd/-
Chief Justice

Sd/-
V.K.Shrivastava
Judge

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1. 2006(7) Supreme 607

Kumale